

## EITI Conference on Beneficial Ownership Transparency

### Opening Up Ownership: Africa

Harnessing the potential of the extractives sector

King Fahd Conference Centre - Dakar, Senegal, 31 October – 2 November 2018

### Day 1 – Wednesday 31 October

09:00-14:00	<i>Arrival and registration</i>
14:00-16:45	<p><b>Opening panel discussion: Beneficial ownership and mobilising domestic resources from the extractive industries</b> (Amphitheatre)</p> <p>How can ownership transparency be key to prevent tax evasion, mitigate illicit financial flows and raise revenues from extractives? Transparency leaders who are driving extractive sector reforms to improve availability of ownership information will share their experiences, progress and challenges.</p>
14:00 – 15:20	<p><i>Why ending company anonymity in the extractives is key for domestic resource mobilisation in Africa</i></p> <p><i>Facilitated by:</i> Eddie Rich, Acting Executive Director, EITI International Secretariat</p> <ul style="list-style-type: none"> <li>• Amadou Ba, Minister of Finance, Senegal</li> <li>• Modeste Bahati Lukwebo, Minister of Plan, Democratic Republic of Congo</li> <li>• Godfrey Donal Deputy head, Global Forum Secretariat</li> <li>• Dominic Emery, VP, Group Strategic Planning, BP</li> <li>• Louis Paul Motaze, Minister of Finance, Cameroon</li> <li>• Robert Ssuuna, Policy Lead Tax and the International Financial Architecture, Tax Justice Network Africa</li> </ul>
15:25 – 16:45	<p><i>How governments, industry and civil society are moving towards beneficial ownership disclosure in extractives to help mobilise domestic resources</i></p> <p><i>Facilitated by:</i> Dylan Gélard, Francophone Africa Director, EITI International Secretariat</p> <ul style="list-style-type: none"> <li>• Oumarou Idani, Minister of Mines, Burkina Faso</li> <li>• Abdoulaye Magassouba, Minister of Mines, Guinea</li> <li>• Léopold Mbolli-Fatrane, Minister of Mines, Central African Republic</li> <li>• Simon Msanjila, Permanent Secretary, Ministry of Minerals, Tanzania</li> <li>• Simone Niven, Group Executive, Corporate Relations, Rio Tinto</li> <li>• Ibrahima Sory Diallo, President, PWYP Coalition, Senegal</li> </ul>
16.45-17.30	<i>Break and press conference</i>
17:30-18:30	<p><b>Official opening: Opening up ownership in oil, gas and minerals</b> (Amphitheatre)</p> <p>Knowing who owns the companies that operate in the oil, gas and mining sectors is key to strengthening natural resource governance. It has also proven to be important to improve the investment climate and promote responsible business conduct. Through the EITI and other global and regional efforts to tackle the challenges posed by hidden ownership, African countries are taking the</p>

lead on improving beneficial ownership transparency in extractives. The opening plenary will demonstrate the commitment by African governments towards ownership disclosure.

**Keynote speakers:**

- Fredrik Reinfeldt, EITI Chair
- Célestin Monga, Vice President and Chief Economist of the African Development Bank Group
- Abdallah Boureima, President of the West African Economic and Monetary Union (UEMOA) Commission
- Sheila Khama, Lead Mining Specialist, Energy and Extractive Industries Global Practice, World Bank

**Official opening address by HE Macky Sall, President of the Republic of Senegal**

19:00-21:00

**Reception hosted by the Government of Senegal**  
(Poolside – King Fahd Hotel)

## Day 2 – Thursday 1 November

09:00-10:30

**Plenary session: Emerging practices of beneficial ownership transparency in EITI countries**  
(Amphitheatre)

Implementing countries have taken different approaches in disclosing the beneficial ownership data by 2020. In this session, participants will explore various scopes, instruments and methodologies for collecting, verifying, safeguarding and disseminating beneficial ownership data. Drawing on experiences so far in 51 EITI countries, the EITI International Secretariat will also provide a brief introduction to key issues to consider when designing a framework for beneficial ownership transparency.

*Facilitated by:* Bady Baldé, Africa Director, EITI International Secretariat

- Professor Ismaila Madior Fall, Minister of Justice, Senegal
- Matthew Ray, Deputy Director, Department for Business, Energy and Industrial Strategy, United Kingdom (BEIS)
- Garba Abubakar, Special Adviser to the Registrar-General, Corporate Affairs Commission, Nigeria
- Prince Benjamin Aboagye, Ag. Deputy CEO of Ghana's Petroleum Commission
- Franck Nzira, Technical Director EITI DRC

**Discussion and Q&A**

10:30-11:00

*Break (Lobby)*

11:00-12:30

Parallel sessions

**Session 1: Improving revenue mobilisation with beneficial ownership data**  
(Room: B01)

Beneficial ownership information can help prevent illicit financial flows and reduce the risks of money laundering and corruption. African EITI countries including Cameroon, Ghana and Zambia are seeking to use beneficial ownership information to minimise the risks of money laundering and corruption in the extractive sector. This session will focus on how beneficial ownership reporting can help improve tax collection and prevent illicit financial flows from countries with significant extractive resources. It will look at different forms of practices including transfer pricing, capital gains tax liability, and how to share beneficial ownership information across jurisdictions.

*Facilitated by:* Gwenaëlle Le Coustumer, Tax Policy Analyst, Global Forum on Transparency and Exchange of Information for Tax Purposes and Ines Schjolberg Marques, Policy Director, EITI International Secretariat

*Speakers:*

- Abu Bockarie Tarawalie, Director for the National Revenue Authority, Sierra Leone
- Cheikh Soufi, Chief Inspector, General Directorate for Taxes, Mauritania
- Palakassi Pignan Gnansa, Cabinet Procedures Agent, Tax Commission, Togo
- Bernd Schlenther, Technical Advisor, African Tax Administration Forum (ATAF)
- Mu'azu Umaru, Director of Research and Planning, Intergovernmental Action Group Against Money Laundering in West Africa (GIABA)

**Session 2: Reduce risks in extractives licensing**

*(Room: C01)*

Licensing authorities need reliable and up-to-date beneficial ownership information for their due diligence checks in licensing, to avoid that licenses or contracts are awarded to companies that are unqualified and to prevent potential for conflicts of interest. Some countries have already started exploring how to use beneficial ownership data in licensing, such as Cameroon, Ghana, Liberia, Sierra Leone and Zambia. This session will build on work done to date to identify ways this work can be done cost-effectively, while implementing appropriate safeguards to ensure integrity standards are integrated into the regulatory processes.

*Facilitated by:* Cari Votava, Senior Financial Sector Specialist and co-author of the Manual on Integrity Due Diligence for Licensing in Extractive Sectors, World Bank

*Speakers:*

- Prince Benjamin Aboagye, Ag. Deputy CEO of Ghana's Petroleum Commission
- Sahr Wonday, Director, National Minerals Agency, Sierra Leone
- Ibrahim Mustafa Magu, Ag. Executive Chairman, Economic and Financial Crimes Commission, Nigeria
- Marie Lintzer, Senior Governance Officer, Natural Resource Governance Institute

12:30-13:30

*Lunch (Adriana)*

13:30-15:00

Parallel sessions

**Session 3: Legal approaches to ownership transparency**

*(Room: B01)*

Setting up an appropriate legal and institutional framework will be important in many countries to ensure comprehensive and reliable disclosures of beneficial owners in the extractive sector. African countries including Cameroon, Democratic Republic of Congo, Ghana, Malawi, Senegal, Sierra Leone, Tanzania and Zambia have undertaken or are planning to initiate amendments to laws to enable beneficial ownership disclosures. This session will enable participants to explore different legal approaches to beneficial ownership transparency and identify good practice in terms of mandates, confidentiality issues, enforcement and so on.

*Facilitated by:* Stephen Karangizi, Director and Chief Executive Officer, African Legal Support Facility

*Speakers:*

- Gay Ordenes, Regional Director for South-East Asia, EITI International Secretariat
- Domtie Sarpong, Principal State Attorney, Registrar-General's Department, Ghana
- Luse Kalonga, Manager - Compliance & Awareness, Patents and Companies Registration Agency, Zambia
- Innocent Nkongo Budina, Senator, Democratic Republic of Congo
- Alexis Ndzenkeu, Head of the Legal Affairs and Communication Department, Organisation for the Harmonization of Corporate Law in Africa (OHADA)

**Session 4: Making the ownership register public**

*(Room: C01)*

More than twenty of EITI implementing countries have announced that they aim to establish public ownership registers, including Ghana and Nigeria. This session aims to introduce different models of existing beneficial ownership registers, both at the national and global level, and discuss what are important issues to keep in mind when setting up a public ownership register. Participants will discuss the features of existing registers and the way they present BO data, interconnectivity and information

sharing across borders, as well as practical changes in ensuring that the registers are easily accessible and up-to-date.

*Facilitated by:* Jack Lord, Data and Policy Analyst, Open Data Services Cooperative

*Speakers:*

- Oliana Valigura, Country Manager for Eastern Europe and Central Asia, EITI International Secretariat
- Alhaji Garba Abubakar, Special Adviser to the Registrar General, Nigeria
- Macoumba Niang, Administrator, Commerce Register, Senegal
- Matthew Ray, Deputy Director, Department for Business, Energy and Industrial Strategy, United Kingdom (BEIS)
- Shadrack Sikaonga, Senior Officer, Mining Cadastre, Zambia
- Jean-Luc Blakey, Senior Campaigner - Democratic Republic of Congo, Global Witness

15:00-15:30

*Break (Lobby)*

15:30-17:00

Parallel sessions

**Session 5: Getting accurate ownership data**

*(Room: B01)*

One of the key concerns surrounding beneficial ownership transparency is ensuring that data collected by governments is robust, exhaustive and up-to-date. This session aims to discuss the advantages and weaknesses of the different approaches to verifying data, at the regional and national levels.

Participants will be invited to present different approaches to verification and sanctions, comment on the role of legal reform in ensuring the reliability of data, identify capacity gaps, and discuss the role of companies and civil society in data verification.

*Facilitated by:* Mu'azu Umaru, Director of Research and Planning, Intergovernmental Action Group Against Money Laundering in West Africa (GIABA)

*Speakers:*

- Bubacarr Sankareh, Acting Director, Office of Integrity and Anticorruption, African Development Bank
- Jack Lord, Data and Policy Analyst, Open Data Services Cooperative
- Shana Krishnan, Policy Analyst, Extractives/Responsible Business Conduct Unit, OECD
- Anthony Kimuli Assistant Director of Audit, Supreme Audit Institution, Uganda
- Oleksiy Orlovsky, Democratic Practice Program Director, International Renaissance Foundation, Ukraine
- Yann Desclercs, Managing Director, Cornerstone Advisory, Senegal

**Session 6: Identifying Politically Exposed Persons and potential conflict of interest**

*(Room: C01)*

The EITI requires that if a politically exposed person (PEP) owns oil, gas and mining assets, then this ownership must be transparent. This is key to preventing conflict of interest in license and contract awards. Such disclosures could most usefully be based on existing definitions of PEPs and be linked to existing asset disclosure requirements for government officials.

*Facilitated by:* Jean Pierre Okenda, DRC Country Manager, Natural Resource Governance Institute

*Speakers:*

- Cari Votava, Senior Financial Sector Specialist and co-author of the Manual on Integrity Due Diligence for Licensing in Extractive Sectors, World Bank
- Jean Marie Kabanga, Member of Executives Committee of EITI-DRC, CSO Mining Sector Platform
- Ludovick Utouh, former Controller and Auditor General and current Chair, Tanzania EITI
- Saliou Diop, Legal Specialist in Good Governance, Anti-corruption and Human Rights, National Office Against Fraud and Corruption (OFNAC)

18:00-21:00

**Dinner**

## Day 3 – Friday 2 November

09:00-11:00  
(drop-in)

### **Beneficial ownership technical advice**

(Room: B12/C12)

Participants who would like to discuss any of the themes of the sessions from the first two days of the conference are invited to approach the speakers and contributors from the sessions. Experts and practitioners will be available to answer questions related to beneficial ownership transparency on topics including:

- How to draft legislation and develop a regulatory framework for beneficial ownership disclosure
- Due diligence in licensing and collecting ownership data through the licensing process
- Linking beneficial ownership transparency to anti-money laundering efforts
- How to go about with establishing an open beneficial ownership company register

09:30-11:00

### Parallel sessions

#### **Session 7: Using EITI to move from commitments to action: Experiences from EITI countries**

(Room: B01)

Through piloting of beneficial ownership reporting through the EITI process, many African EITI member countries have begun collecting and disclosing beneficial ownership data. What have been the disclosed so far, and what are the opportunities for using EITI to improve beneficial ownership disclosures?

*Facilitated by:* Papa Alioune Badara Paye, Deputy Permanent Secretary, Senegal EITI

#### *Speakers:*

- Marie-Thérèse HOLENN AGNONG, National Coordinator, a.i, EITI DRC
- George Harawa, National Coordinator, Malawi EITI
- Ian Mwiinga, Communications Officer, Zambia EITI
- Solange Ondigui, National Coordinator, Cameroon EITI Board
- Brice Mackosso, Permanent Secretary, Commission Justice et Paix, Republic of Congo
- Camillus Kassala, Research Fellow, Interfaith Standing Committee for Socio-economic Justice and Integrity of Creation

#### **Session 8: Working with civil society and industry to achieve ownership transparency**

(Room: C01)

Beneficial ownership transparency can help build trust among the public in the way the extractive sector is governed and create a level playing field. This session will explore the positive effects beneficial ownership disclosure through an examination of private investment decisions and the effects of civil society involvement on the quality of ownership disclosures.

*Facilitated by:* Theophilous Chiviru, Government Support & Exchange Officer for Africa, Open Government Partnership and Maureen Kariuki, Civil Society Coordinator for Africa and the Middle East, Open Government Partnership

#### *Speakers:*

- Juliet Ibekaku, Special Advisor to the Minister and OGP point of contact, Nigeria
- Simon Clydesdale, Campaign Leader, Oil, Gas and Mining, Global Witness
- Abdoul Aziz Diop, Coordinator, Publish What You Pay Senegal
- Abdoul Karim Maiga, General Manager of Kalana Gold Mines Company, Mali
- Mamadou Mar Faye, Director for External Affairs, Kosmos Energy Senegal
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#### **Session 9: From policy to practice: creating useful, usable and linkable data on beneficial ownership**

(Room: A01)

The impact and value of beneficial ownership transparency will be maximised if the data that countries collect is accurate and detailed, can be linked to other data and is useful for a diverse group of users. In this session, participants will explore how that vision can be made real. The session will cover 'user stories' in register design, the importance of policy choices and data standards to the quality and usefulness of beneficial ownership data and emerging best practices, and challenges, in beneficial ownership systems.

	<i>Facilitated by:</i> Jack Lord, Data and Policy Analyst, Open Data Services Cooperative
11:00-11:30	<i>Break (Lobby)</i>
11:30-12:30	<b>Closing plenary – road to 2020</b> <i>(Amphitheatre)</i> How can government representatives and non-governmental actors work together to make beneficial ownership transparency in extractives a reality? The closing plenary will discuss next steps by the 24 African EITI countries and how the EITI can support meeting the 2020 target for beneficial ownership disclosure.  <i>Facilitated by:</i> Government of Senegal and EITI International Secretariat <b>Closing remarks:</b> <i>Dr. Aissatou Sophie Gladima Siby, Minister of Mines and Geology, Senegal</i>